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Docket No.: 1514.1034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mu-hyun KIM, et al.

Serial No. 10/694,044

Group Art Unit: 1774

Confirmation No. 3882

Filed: October 28, 2003

Examiner: Dawn L. Garrett

For: DONOR FILM FOR LOW MOLECULAR WEIGHT FULL COLOR ORGANIC ELECTROLUMINESCENT DEVICE USING LASER INDUCED THERMAL IMAGING METHOD AND METHOD FOR FABRICATING LOW MOLECULAR WEIGHT FULL COLOR ORGANIC ELECTROLUMINESCENT DEVICE USING THE FILM

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed June 29, 2005, having a shortened period for response set to expire on July 29, 2005, the following remarks are provided.

I. **Provisional Election of Claims Pursuant to 37 CFR §1.142**

Applicants provisionally elect **Group I, claims 1-11 and 24-26** in response to the preliminary restriction requirement set forth in the Office Action.

Additionally, Applicants provisionally elect Formula 1 of the low molecular weight organic electroluminescent material (claim 3); Formula 14 of the hole transmitting layer material (claim 5); Formula 19 of the hole injecting material (claim 6); 1, 3, 4-oxadiazole derivative of the electron injecting layer material (claim 7); TAZ of the hole blocking layer material (claim 8) and polycarbonate of the substrate film (claim 11).

II. Applicants Traverse the Requirement.

Insofar as Group II is concerned, it is believed that claims 12-23, 28, and 29 are so closely related to elected claims 1-11 and 24-26 that they should remain in the same application. The elected claims 1-11 and 24-26 are directed to a donor film and an electroluminescent device comprising a donor film and claims 12-23, 28, and 29 are drawn to a method for making an electroluminescent device. There have been no references cited to show any necessity for requiring restriction and, in fact, it is believed that the Examiner would find references containing both method and product claims in the same field of technology. While it is noted that the Examiner has identified different classifications for the product and method claims, it is believed that classification is not conclusive on the question of restriction. It is believed, moreover, that evaluation of both sets of claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by the Group II claims by filing a divisional application.

Insofar as the species is concerned, the chemical formulae of the compounds included in each species ordinarily represent materials used in each layer. That is, the compounds are normally classified into species according to the layers in which they are typically used. For example, Subspecies a-e of Species 2 relating to the hole transport layer are materials typically used in the hole transport layer, and therefore can be considered as one unified group of materials defined by their use in the hole transport layer.

While the Restriction Requirement requiring election of a specific material from each species may be reasonable and appropriate if the invention were related to the materials of the layer, the present invention relates to the organic light emitting display on the whole rather than just the materials. Therefore, this Restriction Requirement is inappropriate and Applicants respectfully traverse the Restriction Requirement. Furthermore, enclosed herewith is a document showing that some of the materials used in the present invention are typically used in the art and thus the search of the other species claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by the species claims by filing divisional applications.

MPEP §803 sets forth the criteria for restriction between patentably distinct inventions. (A) indicates that the inventions must be independent (see MPEP §802.01, §806.04, §808.01) or distinct as claimed (see MPEP §806.05-806.05(i)); and (B) indicates that there must be a serious

burden on the Examiner if restriction is required (see MPEP §803.02, §806.04(a)- §806.04(i), §808.01(a) and §808.02). The Examiner has not set forth why there would be a serious burden if restriction is required.

III. Conclusion

Upon review of references involved in this field of technology, and when all of the other various facts are taken into consideration, it is believed that upon reconsideration of the Examiner's initial restriction requirement, all of the pending claims should be examined in the subject application.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition for allowance.

If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 503333.

Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney.

Respectfully submitted,

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